the most important point, which I would like to mention here, is, in our Rajya Sabha, on 15th December, there was an Unstarred Question No. 1396, which speaks of air crashes in Indian Air Force. It states: "The main reasons of the accidents were technical defects, human error and bird hits. It is not possible to compare the accident rate of IAF with those of other countries." But what is important is the attention of the Government. Through you, Sir, I would like to plead. A high powered committee on fighter aircraft accidents made certain recommendations. These recommendations should be looked into. Only 55 recommendations have been implemented. Mr. Chairman, Sir, there were 84 recommendations and these recommendations were submitted to the Government in September, 1997. Two years have passed and in such a sensitive matter, as air crashes, that too MiG air crashes, no full attempt has been made by the Defence Ministry. Who is responsible? I do not know.

Regarding the LCA project, which has been mentioned, Sir,the improved version of the MiG was supposed to bridge the gap between phasing out of the MiGs and induction of the LCA. The LCA is going to be inducted in 2005. This is a long gap. Sir, this long gap is going to be filled by MiG 21 which was to be upgraded. Two MiG aircraft have been sent to Russia for upgradation. These aircraft have not yet been updated.

Sir, the other point is, 123 MiGs are lying for upgradation. They are not fully functional. That is the tragedy. Sir, I request the Government, through you, Sir, to make a statement as to what is happening to the MiGs. The MiG is our backbone. The MiG, whether MiG 29 or 27 or any version, is to be strengthened. We are solely dependent on MiGs. Sukhoi is coming. But, then, Sir, without MiG, the Air Force is feeling depleted. Through these crashes, we are losing our most efficient young pilots. I do not know why the Government is not taking full care to see to it that these accidents are minimised. This is very important.

Gujarat Government's Apprehension of communal flare-up as per "The Hindu" Report of 10th December, 1999

श्रीमती सरला माहेश्वरी (पश्चिमी बंगाल) : माननीय सभापति जी, मैं आपके माध्यम से सरकार का और सदन का ध्यान गुजरात की ओर आकर्षित करवाना चाहती हूं। सभापति महोदय, एक बार फिर गुजरात के डांग में ईसाई अल्पसंख्यकों के खिलाफ भयंकर उत्तेजना और

साम्प्रदायिक हिंसा का वातावरण तैयार किया जा रहा है। सभापति जी, हमें याद है कि पिछले वर्ष भी इन्हीं दिनों, क्रिसमस के पहले वहां के बदनाम हिंदू जागरण मंच ने इसी तरह का माहोल पैदा किया था और उसी माहोल की वजह से वहां ईसाइयों के स्कूल जलाए गए, गिरजों को जलाया गया और उससे हिंदुस्तान की जो धर्मनिरपेक्ष परंपरा थी, जो साम्प्रदायिक सद्भाव और सहिष्णुता की हमारी परंपरा रही है, उस परंपरा को आघात पहुंचा था और पूरी दुनिया में हिंदुस्तान की बदनामी हुई थी। उसी बदनाम हिंदू जागरण मंच द्वारा एक बार फिर वहां उत्तेजक पर्चे बांटे जा रहे हैं और यही कहा जा रहा है कि 24 दिसम्बर को वहां डांग में वे हिंदुओं का एक विराट समागम करेंगे। इसका अर्थ है कि ईसाइयों के विरोध में घृणात्मक अभियान चलाया जाएगा। सभापति महोदय, इस तरह के पर्चे बांटे जा रहे हैं आह्वा में कि 24 तारीख को एक मन्दिर का शिलान्यास किया जाएगा और इस मन्दिर के शिलान्यास को लेकर एक तरह की उत्तेजना वहां फैलायी जा रही है। तमाम अखबारों में खबरें आ रही हैं, वहां से हमारे पास भी प्रत्यक्ष खबरें आ रही हैं कि जब इस हिंदू जागरण मंच के नेता को गिरफ्तार किया गया - यह सबसे ज्यादा चिंता की बात है हमारे लिए - तो इस नेता की गिरफ्तारी के विरोध में वहां डांग के भा0ज0पा0 के 12 नेताओं ने इस्तीफा दे दिया यह कहते हुए कि पुलिस ने उनके एक हिंदू नेता को गिरफ्तार क्यों किया। हमारी चिंता, इस सदन की चिंता और इस देश की चिंता यहीं पर आकर है कि साम्प्रदायिक ताकतें इस देश के साम्प्रदायिक सद्भाव के माहोल को खराब करती जा रही हैं। लेकिन इस संघ परिवार के संगठन को भा.ज.पा. जिस तरह से मदद कर रही है वह हमारे लिए बहुत ही चिंता की बात है। इसलिए मैं आपके जरिए से सदन से और सरकार से यह निवेदन करना चाहूंगी कि यह एक उत्तेजना का वातावरण तैयार किया जा रहा है, इस तरह के पर्चे बांटे जा रहे हैं कि राक्षसों की सेना आ पहुंची है, धर्म के नाम पर हमारे समाज को विभाजित करने के लिए। इसलिए मैं आपके जरिए से यह कहना चाहूंगी कि ये कौन सी ताकतें हैं और हिंदू जागरण मंच की तरह के बदनाम संगठन को किस तरह से इतनी खुली छूट दी जा रही है जबकि उनके पुराने कर्मों से हम परिचित हैं, जिन कर्मों के चलते हमारी धर्मनिरपेक्ष परंपरा को आघात पहुंचा था। इसलिए सभापति महोदय, गुजरात सरकार पर भरोसा नहीं किया जा

सकता है। मैं केंद्र सरकार से यह अपील करना चाहूंगी कि इससे पहले हमारे देश की धर्मनरपेक्षता, साम्प्रदायिक सद्भाव और सहिष्णुता की परंपरा को एक बार फिर कलंकित किया जाए सरकार* कौन से कदम एहतियात के तौर पर उठाने जा रही है उनसे हमको और इस सदन को सूचित करे क्योंकि यह बहुत ही जरूरी है।

***श्री के.एम. खान** (आन्ध्र प्रदेश): चेयरमैन साहब, मैं आपकी तवस्सुत से इस ऐवान की तवज्जह गुजरात के डांग जिले में अक्लियतों के ईसाई तबके में फैली हुई उस अहसासे अदम तहफुज की तरफ, उस कशीदगी की तरफ दिलाना चाहता हूं जिसका जिक्र अभी अभी मेरे पेशरो मुकर्रिर ने किया। यह बहुत अफसोस की बात है कि गुजिश्ता एक साल से डांग में जो कि एक पस्तकरदा इलाका है, जिला है वहां कन्वर्शन के उन्वान को बहाना बनाकर कुछ तंजीमें, कुछ इदारे ईसाइयों के खिलाफ नफरत की आग भड़काने में मसरूफ हैं जैसे कि अभी कहा गया कि सूरत के वियारा ताल्लुके के एक गांव हेलमुदी में 24 तारीख को एक राम मन्दिर का शिलान्यास रखने की तैयारियां की जा रही हैं। मैंने खुद पिछली 12 तारीख को डांग में घूमकर मालूमात हासिल कीं और आपके तवस्सुख से इस सदन को यह बताना चाहता हूं कि ये जो अफवाहें फैलाई जा रही हैं कन्वर्शन की, तब्दीले मजहब की ये बिल्कुल बेबुनियाद अफवाहें हैं। हालिया अरसे में इस इलाके में तब्दीली मजहब या कनवर्सन का कोई वाकया नहीं हुआ है । यह जो कुछ कहा जा रहा है या जैसे पर्चे बांटे जा रहे हैं या तकरीरें की जा रही हैं, ऐसा कुछ नहीं है, लेकिन वह प्रोपेगेंडा एक ऐसी स्टेज पर पहुंच गया कि गुजरात सरकार को हिंदू जागरण मंच के नेताओं के खिलाफ कार्यवाही करनी पड़ी और उन्हें गिरफ्तार करना पड़ा । मैं आप को बताना चाहता हूं कि इस गिरफ्तारी के खिलाफ सब से पहले अगर कोई तंजीम आगे आई तो वह भारतीय जनता पार्टी के लोग थे। भारतीय जनता पार्टी की डांग जिले की तमाम कमेटी ने इस गिरफ्तारी के खिलाफ एतराज करते हुए अपने ओहदों से इस्तीफा दिया और अब यह कहा जा रहा है कि आहवा में 24 तारीख

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*Transliteration of the speech in Persian Script is available in the Hindi version of the speech.

को 10 हजार अफरात का एक इस्तमा होगा और सूरत जिले के वियारा ताल्लुके में राम मंदिर का शिलान्यास रखा जाएगा ।

मैं आप से बहुत अदब के साथ अर्ज करना चाहता हूं कि इस से वहां कशीदगी में इजाफा होगा । अखबार लिख रहे हैं कि वहां तसद्दुद का अंदेशा है दो तबकों में । अगर इस को टालना है, अगर मुल्क में माहौल को खुशगवार रखना है तो मैं इस आइवान से और इस के तवस्सुत से सरकार से कहना चाहता हूं कि उन लोगों के खिलाफ जो फिरकावाना कसीदगी फैला रहे हैं, सख्त कार्यवाही की जाए और बात का एहतमाम किया जाए कि कोई ऐसी हरकत न हो, कोई तसद्दुम न हो जिस की वजह से ऐसे जो बेबस लोग हैं, जिन का ईसाई तबके से ताल्लुक है, उन पर कोई हमला न हो, उन के खिलाफ कोई कार्यवाही न हो जिस से उन को दुख हो या उन के इबादतगाहों को नुकसान पहुंचे जैसाकि कहा जा रहा है कि एक चर्च को हटाकर राम मंदिर बनेगा । यह बड़े अफसोस और बड़े शर्म की बात है । इस को रोकने के लिए सरकार के बस में जो भी कार्यवाही हो, वह करे और इस को रोके ताकि मुल्क का सेकुलर किरदार बाकी रखा जा सके ।

SHRI PRAFULL GORADIA (Gujarat): Mr. Chairman, Sir, I am delighted and, in fact, feel very reassured that my morale is getting boosted when a Marxist Member takes so much interest in a religious matter.

SHRIMATI SARLA MAHESHWARI: Why?

SHRI PRAFULL GORADIA: I mean it very seriously ...*(Interruptions)*...

MISS SAROJ KHAPARDE (Maharashtra): Is she not a Member of this House?*(Interruptions)*

SHRI PRAFULL GORADIA: I will let you know the facts in a moment ...*(Interruptions)*...

SHRI K.M. KHAN: I am not a Marxist Member...*(Interruptions)*...

SHRI PRAFULL GORADIA : I used singular...*(Interruptions)*...

श्रीमती सरला माहेश्वरी : धर्म अगर आप जैसे लोगों के हाथ में कलंकित होगा तो हम को बोलना ही पड़ेगा।

श्री खान गुफरान जाहिदी (उत्तर प्रदंश) : सभापति जी, पार्लियामेंट मेंबर्स इस मैटर को सीरियली नहीं ले रहे हैं ।

SHRI PRAFULL GORADIA: I just happened to meet an assistant of some *dharma guru*, who told me that it is such a good thing that, today, the Parliament is going to discuss this issue. He also told me that with great difficulty, we managed to publish a news item in the *Indian Express*. Now, with the Parliament discussing everything, tomorrow it will be blown up into a news headline; so, there will be more fun. This is the view of an extremist. So, I think, the less we discuss, perhaps, the better it will be. It is a small piece of news item that has been blown up. Why has it been blown up? I will tell you in a moment... *(Interruptions)*...Please listen to me...*(Interruptions)*...

MR. CHAIRMAN: Let him finish...*(Interruptions)*...Let him finish...*(Interruptions)*...

SHRIMATI SHABANA AZMI (Nominated): How can he say that it is a small piece of news?...*(Interruptions)*.....It is a very serious matter....*(Interruptions)*...

SHRIMATI SARLA MAHESHWARI: It is not a matter of fun ...*(Interruption)*..

MISS SAROJ KHAPARDE: It is very why unfortunate..*(Interruptions)*...

MR. CHAIRMAN: When others spoke, nobody interrupted ..*(Interruptions)*..Whydoyou.interrupt?...*(Interruptions)*...Why are you highlighting him by your ..*(Interference)*...? ...*(Interruptions)*...Yes...*(Interruptions)*...Why are you taking him so seriously?...*(Interruptions)*...

SHRI PRAFULL GORADIA: Sir, I would just like to make a small correction. The *Ram Mandir Silanyas* is taking place in Surat District on 23rd and not on 24th. This is the factual position...*(Interruptions)*...

SHRIMATI SARLA MAHESHWARI: So what? ...*(Interruptions)*...

SHRI RAJUBHAI A. PARMAR (Gujarat) : It is taking place...*(Interruptions)*...Why are you particular about the date? ...*(Interruptions)*... Now it is there...*(Interruptions)*...

SHRI PRAFULL GORADIA: Sir, they should keep quiet...*(Interruptions)*..I will finish my submission in a minute, only if I am given a chance...*(Interruptions)*...If an attack can be made, it can only be made by some Members of other religions, who are not Hindus. However, that is not the issue...*(Interruptions)*...

Mr. Chairman, Sir, the Government is very alert. Section 144 has been imposed across the Ahwa town, which is the district headquarters of the Dang district. Secondly, the *dharma sabha* has not been given a permission to hold...*(Interruptions)*... on 25th December. Therefore, the *dharma sabha* is not going to be held on 25th December. This has been confirmed by the Jagaran Manch people also, when they said that they might have to face bullets. When they are talking about bullets, it shows that the Government is very clear in its stand against the holding of this sabha. Thirdly, the fact that some people have been arrested is a testimonial of the Government's stand on the issue. Going further, a circular was issued in October, which is still valid.*(Interruptions)*...

SHRI MD. SALIM (West Bengal) : Sir, I raised this point earlier also that the Minister should reply to...*(Interruptions)*...

MR. CHAIRMAN: He has a right to speak. *(Interruptions)* I have given him permission to speak.*(Interruptions)* He has a right to speak. ...*(Interruptions)*...You are unnecessarily highlighting what need not be highlighted. ...*(Interruptions)*...He has a right to speak....*(Interruptions)*... He has a right to speak. ...*(Interruptions)*...

SHRI PRAFULL GORADIA: Sir, to further reassure the House, through your good offices, the Home Minister visited Dangs across every. ..*(Interruptions)*...

MR. CHAIRMAN: No, no. ...*(Interruptions)*...Nothing will go on record....*(Interruptions)*...Only what Mr. Goradia speaks will go on record. ...*(Interruptions)*...I have asked him to speak....*(Interruptions)*... Let him complete. ...*(Interruptions)*... Nothing will go on record.

SHRI PRAFULL GORADIA: Sir, I am only associating. I am only reassuring that the...*(Interruptions)*...

MR. CHAIRMAN: Please let him speak...*(Interruptions)*...No, no. ...*(Interruptions)*...I will reply to you...*(Interruptions)*...Please sit down.

*(Interruption)*Please sit down....*(Interruptions)*...The subject which is being discussed is: "Gujarat Government's apprehension of communal flare up as per Hindu Report of December 10, 1999." He is associating with the report that the Government is apprehensive; the Government is taking action. *(Interruptions)*There is nothing wrong in it...*(Interruptions)*There is nothing wrong in it....*(Interruptions)*... What?...*(Interruptions)*...

SHRI MD. SALIM: He is not doing so. He is assuring the House. ...*(Interruptions)*... A Member cannot do it.

SHRI PRAFULL GORADIA: I am reassuring the House. ...*(Interruptions)*...

MR. CHAIRMAN: He cannot....(*Interruptions*)... Please sit down. ...*(Interruptions)*... You go to your seats. *(Interruptions)* No, as a matter of fact...*(Interruptions)*...Please sit down. ..*(Interruptions)*... Please sit down. ...*(Interruptions)*...I have read the report in the "Hindu", which was given to me. It shows that the Gujarat Government itself is apprehensive. So, they want to take action. So, that was the issue. That is why he is speaking on behalf of that part only.*(Interruptions)*The Government itself.. *(Interruptions)*... The House is adjourned till 2 o' clock.

The House then adjourned for lunch at one of the clock.

The House reassembled, after lunch, at four minutes past two of the clock, THE VICE-CHAIRMAN, [SHRI ADHIK SHIRODKAR) in the Chair.]

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Shri Murasoli Maran to move for leave to introduce a Bill further to amend the Patents Act, 1970.

SHRI MD. SALIM: Sir, I have an objection.

उपसभाध्यक्ष महोदय, आप जानते हैं कि पेटेंट बिल के बारे में अभी मार्च, 1999 में हम लोगों ने आपस में कितनी बहस की थी । इस तरह से ये 6 महीने, 9 महीने के बाद फिर बदल रहे हैं to further the obligation of the WTO, which itself is an endangered species now. तो ये पेटेंट बिल जो है, इस तरह से इसके इंट्रोडक्शन पर हम आपत्ति कर रहे हैं । The two WTO-related Bills, including the Copyright Bill, जिस

तरह से ये ऑफ्टरनून में ला रहे हैं, यह ठीक नहीं है, हमेशा डब्लू0टी0ओ0 रिलेटिड ऑल बिल्स इंक्लूडिंग कॉपी राइट अमेंडमेंट बिल, यह मेन लिस्ट में लिस्ट नहीं करते हैं। आप ट्रेडिशली देखेंगे। फिर ऑफ्टरनून में, जीरो ऑवर में, ईवनिंग में वह बिल प्लेस करके चले जाते हैं। वह गवर्नमेंट चली गई। पेटेंट ऐक्ट में जो तबदीली आ रही थी उसके विरोध में आप भी थे। लेकिन तरीका वही रहा। चाहे सरकार बदल जाए तरीका वही रहा। क्यों ऐसा होता है? Why is this done behind the back.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Mr. Salim, you know that this only for introduction. Whatever you want to say you say when it is introduced.

SHRI MD. SALIM: Sir, I want to raise this point at the introductory level. You, being the Vice-Chairman, have to take care of this. Our objection is at the introduction level itself. Why have they brought it all of a sudden? आपको याद होगा जब यह गवर्नमेंट नहीं थी, आपका कसूर नहीं है, पहले वाले जब थे तो हमेशा ऐसा ही करते थे। डब्लू0टी0ओ0 रिलेटिड जो लेजिशलेशन हैं जिन पर ज्यादा बहस होनी चाहिए, ज्यादा डिस्कसन होना चाहिए। यहां प्रणब मुखर्जी जी बैठे हुए हैं, उससे पहले वी0सी0 शुक्ल जी थे और भी कई बार हमने आपत्ति की है। कभी तो सप्लीमेंट्री लिस्ट भी नहीं डाल करके, नोटिस में दिखला करके उसके बाद बिल पेश कर दिया, ऐसा भी हुआ है इस सदन में। इसलिए मैं इसको पोइंट आउट कर रहा हूं। लिस्ट में क्यों नहीं आते पेटेंट बिल। आपको जब ऐसा मालूम है कि डब्लू0टी0ओ0 के एग्रीमेंट के मुताबिक हमें चेंज करना है तो ऑरिजनल लिस्ट में क्यों नहीं लाते।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Mr. Salim, you have made your point very emphatically. Now, let the hon. Minister speak.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI PRAMOD MAHAJAN): Sir, I admit without hesitation that the hon. Member is very right in his criticism. Normally such Bills should be brought before the House throught its main Agenda and not through Supplementary Business. I would like to correct him that as far as the

Copyrights Bill is concerned, it was brought as a regular Agenda. It is not true that it was brought on a Supplementary Agenda.

Sir, the problem is that these are the last days of the Session. Sometimes we would like to pass the Bills in both the Houses. Therefore, sometimes we have to by pass this normal rule. Otherwise, the Government would definitely take care in future that such Bills are brought with due notice and through its main agenda.

As far as this Bill is concerned, let the Bill be introduced. Then the House can go through the Bill. We can informally decide on the sense of the House whether we should pass it or send it to a Select Committee. The Government will look into this matter with an open mind.

SHRI PRANAB MUKHERJEE (West Bengal) : Sir, I entirely agree with Mr. Md. Salim that we should get sufficient notice for this type of a legislatioln so that the House is a quite aware of it. But, here its introduction is necessary. He would agree with me that we have decided to send this Bill to Select Committee. Now, if the Bill is not formally introduced, then the motion to send it toa select committee would also not be moved. Sir, if you want to send it to the Standing Committee, it is the prerogative of the Presiding Officer, but if you want to send it to a Select Committee, then a substantive motion is to be moved by the hon. Minister naming the Members of the Select Committee. Therefore, my submission to you would be to let the Bill be first introduced. Let us go through it. Thereafter, as it was decided, of course, informally, we would like to send the two Bills to a Select Committee. The hon. Minister has already stated that he has an open mind. The hon. Member has registered his viewpoint substantially that these serious legislations should not be brought in off-hand. I think we should not raise further objections to the introduction of the Bill.

SHRI GURUDAS DAS GUPTA (West Bengal) : Sir, I appreciate what my esteemed colleague has said, but let it not be ambiguous. It is not a question of Government having an open mind. We know the Government is not having a closed mind. We are very grateful to them for being so open.

SHRI PRANAB MUKHERJEE: It depends on ourselves.

SHRI GURUDAS DAS GUPTA: Sir, I really appreciate the young hon. Minister for being open. Let him remain so open. It is good. But, Sir,

there has to be a categorical announcement from the side of the Government that after the Bill is allowed to be introduced, the Government will not stand in the way of sending it to a joint Select Committee. Let the hon. Minister be a little more generous in the performance of his duties.

SHRI PRAMOD MAHAJAN: Sir, the hon. Member was a little late in coming to the House. I do not mind repeating the same assurance. Let the Bill be introduced. Let the Members go through it; and after studying it if the whole House comes to a consensus that it should be sent to a Select Committee, the Government would not make it a prestige point.

SHRI JIBON ROY : So far as the Patents Bill is concerned, it is all right, since there is an assurance that it will go to a Select Committee. But there is a design. The Patents Bill is connected with the Designs Bill; and the Designs Bill is connected with the Patents Bill. But the Designs Bill which is being moved in this House has to be discussed either in a Select Committee or in the Standing Committee. This is a technical Bill. We have to check up about this Bill, with technical persons. Do you want us to raise our hands on every Bill without discussing it? Why should we do that?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND WATER RESOURCES(SHRI PRAMOD MAHAJAN) : I am aware of the fact that in spite of my best efforts, you will never raise your hands for me. That is a different question. What I am saying is, let me introduce the Bill. You can study the Bill. Then, let the House come to some conclusion.

SHRI JIBON ROY (West Bengal) : So far as the Patents Bill is concerned, it is all right. I am talking about the Designs Bill.

SHRI PRAMOD MAHAJAN : Let it be about any Bill. First, let it be introduced. Then, all of you can come to a conclusion. Let the House come to a consensus. Let us go by consensus.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR) : The hon. Member feels that you have other designs. Dr. Raman, please introduce the Bill.

BILLS INTRODUCED

The Patents (Second Amendment) Bill, 1999

THE MINISTER OF STATE IN THE MINISTRY OF